

In the High Court of Judicature at Madras

Dated: 11.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.47740 of 2006
and M.P.No.1 of 2006

Prakash Kumar ..Petitioner

..vs..

The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai-600 003. ..Respondent

Writ petition filed under Article 226 of the Constitution of India,
for issuance of a Writ of Mandamus for the reasons mentioned therein.

For Petitioner : Mr.P.Jayaraman,
Senior Counsel for Mr.A.Velavan

For Respondent : Mr.V.Bharathidasan

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

Petitioner has approached this Court to issue a Writ of Mandamus,
directing the respondent not to demolish the petitioner's building at door
No.118/70, Audiappa Naicken Street, Chennai-79 pending disposal of his
planning permission before the Chennai Metropolitan Development Authority,
as per Section 56(4) of Town and Country Planning Act, 1971 and pending
disposal of statutory appeal made to the Appeal Standing committee,
Corporation of Chennai.

2. On direction, Mr.V.Bharathidasan takes notice for the respondent.
Heard the learned Senior Counsel for the petitioner as well as the
respondent.

3. In view of the specific claim that the petitioner has preferred
an appeal before the Appeal Standing committee, Corporation of Chennai on
03.11.2006 and the same is still pending with the said authority, we are

of the view that ends of justice would be met by directing the Appeal Standing Committee, Corporation of Chennai, to consider and dispose of the appeal dated 03.11.2006 of the petitioner in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. In view of the same, till decision being taken by the said authority, the demolition notice shall be kept in abeyance.

With the above observation, the writ petition is disposed of. No costs. Consequently, M.P.No.1 of 2006 is closed.

gl

Sd/
Asst. Registrar

/true copy/

Sub Asst.Registrar

To

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai-600 003.

+ One cc to M/s. J. Ravindran Advocate SR 61647

+ One cc to M/s. A. Velavan Advocate SR 61272

+ One cc to M/s. V. Bharathidasan, Advocate SR 61497.

AVM (co)
sg 20/12/2006

Writ Petition No.47740 of 2006

सत्यमेव जयते 11.12.2006

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